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No. 43]

NEW DELHI, SATURDAY, NOVEMBER 20, 1965 (KARTIKA 29, 1887)

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग III—खण्ड 3

PART III—SECTION 3

सूच्य प्रशासनों से संबंधित अधिसूचनाएं

Notifications relating to Minor Administrations

GOVERNMENT OF PONDICHERRY

Planning and Development Department
(Medical & Public Health)

Pondicherry, the 4th November 1965

No. 26960/Dev/M/65—Kumari Kamala Santiago has been temporarily appointed as Nursing Tutor, Grade I, in the General Hospital, Pondicherry, with effect from the forenoon of 14th September 1965.

No. 21240/Dev/M/65—Smt. S. Rajendran, has been temporarily appointed as Nursing Tutor, Grade I, in the General Hospital, Pondicherry, with effect from the forenoon of 18th September 1965.

(By Order of the Lt. Governor)

FRANCOIS DE CONDAPPA

Under Secretary

Pondicherry, the 11th November 1965

No. 5302/Dev/65-AH—Shri M. A. Swaminathan is appointed to officiate as Director of Animal Husbandry with effect from 1st October 1965. He will be placed on probation for a period of two years.

(By Order of Lt. Governor)

S. SEETHARAMAN

Under Secretary

General Admn. (Education) Department

Pondicherry, the 6th November 1965

No. F.1-178/65-EDN—Shri Paranjody Rollin, Director of Public Instruction Pondicherry, has been relieved of his duties of the Director of Public Instruction with effect from the afternoon of the 20th October 1965 so as to enable him to take up an assignment at Laos under the Colombo Plan.

2. His term of deputation to Laos will be for a period of one year in the first instance.

3. Shri S. Marcandane, Deputy Director of Public Instruction, Pondicherry, will hold current charge of the duties of the Director of Public Instruction until further orders.

A. M. JOSEPH

Under Secretary

GOVERNMENT OF GOA, DAMAN & DIU

Finance Department

Panjim, the 12th July 1965

No. FS/F.III/2-36/65—In exercise of powers conferred by first proviso to sub-section (1) of Section 7 of the Goa, Daman and Diu Sales Tax Act, 1964, the Government hereby makes the following amendment:

In the Third Schedule to the Goa, Daman and Diu Sales Tax Act, 1964, after entry 6, the following entry shall be added namely:—

“7. Country liquor produced in the Union Territory of Goa, Daman and Diu from toddy drawn from coconut-trees and from juice extracted from cashew apples.”

This notification comes into force with immediate effect.

The 3rd November 1965

No. FD/F.III/2-35/2165/B/65—In exercise of the powers conferred by Section 22 of the Goa, Daman and Diu Excise Duty Act, 1964, the Government hereby makes the following further amendments to the Goa, Daman and Diu (Excise Duty) Rules, 1964.

1. (1) These rules may be called the Goa, Daman and Diu Excise Duty Third Amendments Rules, 1965.

(2) They shall come into force at once.

2. In rule 116 of the Goa, Daman and Diu Excise Duty Rules, 1964 after sub-rule (2) the following sub-rule shall be inserted, namely:—

“(3) All police officers not below the rank of head constable in the Daman and Diu areas may exercise the powers conferred by Sections 25 and 27.”

The 8th November 1965

No. FD/F.III/2-35/Part/2155/2243/2275/65—In exercise of the powers conferred by sub-section (1) of Section 42 of the Goa, Daman and Diu Excise Duty Act, 1964, the Government hereby exempts Rum supplied on permits issued by the Commissioner of Excise to defence service establishments situated in the Union Territory of Goa, Daman and Diu from payment of so much of the excise duty leviable on it as is in excess of Rs. 2.75 (Rupees two and paise seventy five) per proof litre.

By order and in the name of the
Administrator of Goa, Daman
and Diu.

N. SUBRAMANIAN
Finance Secretary

The Goa, Daman and Diu Stamps Supply and Sale Rules, 1965

No. FD/F.III/11-157/64/21015/65.—In exercise of the powers conferred by Section 74 of the Indian Stamp Act, 1899 (II of 1899) the Lieutenant Governor is pleased to make the following rules for regulating the supply and sale of stamps, for determining the persons by whom such sale is to be conducted and for prescribing the duties and remuneration of such persons.

1. These rules may be called the Goa, Daman and Diu Stamps Supply and Sale Rules, 1965 and shall come into force on 1st December 1965.

2. In these rules, unless there is anything repugnant in the subject or context :

(1) "Schedule" means a schedule appended to these rules.

(2) "Vendor" means a stamp vendor appointed under these rules.

(3) "Government" means Government of the Union Territory of Goa, Daman and Diu.

3. For the purpose of these rules stamps are divided into :

(1) Impressed stamps, including—

(a) Labels affixed and impressed by the proper officer.

(b) Stamps embossed or engraved on stamped paper.

(2) Adhesive stamps.

Stamps of class I (a) can be obtained only at the office of Superintendent of Stamps, Panjim and such labels shall be affixed and impressed as laid down in the rules 9 to 12 of the Indian Stamp Rules, 1925.

Stamps of class I (b) and class 2 shall be sold to the public by *ex-officio* or licensed vendors in the manner hereinafter prescribed.

4. Adhesive stamps shall be sold as follows :

(a) Ten paise, Fifteen paise and Twenty-five paise Revenue Stamps, Insurance, Foreign Bill, Agreement, Broker's Note and Share-Transfer stamps by *ex-officio* and licensed vendors.

(b) Notarial stamps by *ex-officio* vendors only.

5. (1) "The Government" may appoint certain officers to be *ex-officio* vendors.

(2) *Ex-officio* vendors shall, subject to rules 3 and 4, sell such stamps as may be directed.

(3) The treasurer of each treasury and sub-treasury shall be an *ex-officio* vendor.

(4) Officers in charge of post offices, at which letters are received for despatch, shall be *ex-officio* stamp vendors for the Sale of Ten paise, Fifteen paise and Twenty-five paise Revenue Stamps.

(5) An *ex-officio* vendor may be required to give Security for the proper performance of his duties if it appears necessary to the head of the office in which the vend of stamps is to be conducted. The terms of the bond can be specially framed to meet the requirements of the case.

6. (1) The Collector or any other officer empowered by the Government in this behalf may appoint on application certain persons to be licensed vendors.

(2) Licensed vendors shall, subject to rules 3 and 4, sell such stamps of such values as may be specified in their licences.

(3) Licensed vendors holding licences for sale of stamps shall sell stamps between 10 a. m. and 5.30 p. m. on week days :

Provided that the Collector may vary the above hours of sale in any particular case;

Provided further, that licensed vendors may not sell stamps on public holidays.

7. (1) Licensed vendors shall sell stamps embossed or engraved on stamped paper of value not exceeding Rs. 250.

(2) Whenever it is deemed necessary, for the convenience of the public, that a licence should be granted for the sale of stamps embossed or engraved on stamped paper exceeding Rs. 250, the sanction of the Government shall be obtained.

8. Every licence granted under rule 6 and 25 shall be in the form of Schedule A.

9. Every licence shall be revocable at any time by the Government or by the authority granting it.

10. (1) The rate of discount for licensed vendors shall be 2½ per cent, but in the places where stamps are sold by *ex-officio* vendors such rate shall be only 2 per cent.

(2) Licensed vendors shall not be allowed any discount on the purchase of stamps embossed or engraved on stamped paper exceeding in value of Rs. 250 each.

11. Every licensed vendor shall keep in a conspicuous position, outside his place of vend, a signboard bearing in English, Marathi and Concanim in case of Goa, and in English and Guzerati in case of Daman and Diu, his name and the words "Licensed vendor of Stamps".

12. Every *ex-officio* or licensed vendor shall, with his own hand, write, on the face of every stamp embossed or engraved on stamped paper which he sells, just below the stamp impression, a serial number, the date of sale, the name and residence of the purchaser (*i.e.* of the person for whom the stamp is bought) the value of the stamp in full in words and his own ordinary signature; at the same time, he shall make corresponding entries in a register to be kept by him in the form in Schedule B.

(2) No *ex-officio* or licensed vendor shall knowingly make a false endorsement on the stamp sold or a false entry in his register.

13. (1) Notwithstanding anything contained in rule 12 when an *ex-officio* vendor, or a licensed vendor, authorised under sub-rule (2) sells more than 50 stamps embossed or engraved on stamped paper of anyone description and value to one and the same purchaser, the date of sale, the name and residence of the purchaser and the value of each such stamp may, instead of being written by such vendor, be printed or stamped on each stamp.

(2) The Collector is empowered to authorise *ex-officio* vendors and licensed vendors to sell stamps under this rule.

14. (1) In every *ex-officio* or licensed vendor shall, whenever any person purchase a stamp embossed or engraved on stamped paper, require the purchaser to affix if he is a literate person, his signature, and if he is an illiterate person, his thumb impression under such vendor's endorsement of sale on the stamp and also opposite the entry relating to the sale in the register kept under rule 12 (*Vide* instructions in Schedule C).

(2) No new licence to sell stamps embossed or engraved on stamped paper shall be granted and no expired licence shall, after a time to be specified in this behalf, be renewed, except on satisfactory proof that the applicant or licensee is able to take a clear thumb impression.

15. (1) Whenever application is made to an *ex-officio* or licensed vendor for stamps embossed or engraved on stamped paper of a specified value and not exceeding the highest value which such stamp vendor is authorised to sell, he shall, if he is able, furnish a single stamp of the required value.

(2) If such vendor is unable to furnish a single stamp embossed or engraved on stamped paper of the required value, he shall supply the purchaser with the smallest number of such stamps which he can furnish so as to make up the required value.

16. (1) All stamps exceeding Rs. 250 in value required for a single instrument shall be purchased direct from the Treasury or Sub-Treasury as the case may be.

(2) No licensed vendor shall sell to the public two or more stamps of lower value for use in place of one of a value higher than Rs. 250 required for the purpose of stamp duty on a single instrument.

(3) Every licensed vendor shall hang up a notice in his place of vend showing that stamps exceeding Rs. 250 in value or an aggregate of stamps exceeding Rs. 250 in value required for the purpose of stamps on a single instrument shall be purchased from a Treasury or Sub-Treasury, as the case may be.

17. Every licensed vendor shall, without delay, deliver any stamp which he has in his possession for sale on demand by any person tendering the value thereof in any currency which would be accepted on behalf of Government by the Collector. A licensed vendor shall not demand or accept for any stamp any consideration exceeding the value of such stamp.

18. No ex-officio or licensed vendor shall sell any stamps the use of which has been ordered by competent authority to be discontinued.

19. The accounts to be kept and rendered by licensed vendors shall be in accordance with the forms prescribed by the Government.

20. (1) All licensed vendors shall execute a security bond in the form in Schedule D.

(2) The amount of the security shall be fixed in each case by the Collector or other authority granting the licence, but as stamps will ordinarily be supplied to the licensees only on payment of ready money, it shall not be excessive.

21. No licensed vendor shall at any time offer any objection or resistance to the inspection of his register kept under rule 12 or the examination of his stock of stamps by any officer duly authorised by the Collector or by the Government to make such inspection or examination.

22. (1) A licensed vendor—

(a) may deliver up any stamps in his possession either on application for leave to do so or on resigning his licence, and

(b) shall deliver up all stamps embossed or engraved on stamped paper remaining in his possession on demand made at any time by the Collector or other officer duly authorised by the Government in this behalf.

(2) Payment of the value of stamps paid for by a licensed vendor and delivered up, shall be made subject to deductions as follows, namely:

(a) A deduction of five paise in the rupee or a fraction of rupee of the full value of all stamps delivered up in the following circumstances, viz.:

- (i) On resignation by the vendor of his licence;
- (ii) On revocation of the licence for any fault on the part of the licensed vendor;
- (iii) On application by the licensed vendor for leave to return any stamps in his possession.

(b) A deduction only of the discount, if any, allowed on purchase by the vendor on stamps delivered up in the following circumstances:

- (i) On the expiration of the licence;
- (ii) On the recall of the stamps by Government;
- (iii) On the revocation of the licence for any cause other than a fault on the part of the licensee;
- (iv) On the death of the licensed vendor.

Provided that application for refund of the value of stamps delivered up under this rule shall ordinarily be made within six months of the date of the resignation or death of the licensed vendor or the revocation of the licence but in special cases, the sanctioning authority may accept an application made within two years of such date.

23. A licensed vendor shall be permitted to exchange any stamps which are, in the opinion of the Collector or other officer duly authorised by Government in this behalf, fit for use but for which there is no immediate demand, for other stamps of a like aggregate value.

24. Every licensed vendor shall keep an adequate supply of Twenty-five paise, Fifteen paise, and Ten paise Revenue Stamps for sale to the public.

Transitional provisions

25. The stamp vendors to whom licence was granted under Legislative Diploma No. 1738 dated 19th September 1957, should apply for licence under these rules, within 30 days from the date of its publication.

26. Allowance of 1.5% shall be paid to the stamp vendors to whom, before the extension of the Indian Stamp Act, 1899, to the Union Territory of Goa, Daman and Diu licence was granted under Legislative Diploma No. 1738, of 1957 until they get themselves licensed under the foregoing rule. This allowance shall be paid on the value of stamps sold to them by the treasuries and sub-treasuries.

27. (1) When any person is possessed of a stamp or stamps in use immediately before the commencement of these Rules and such stamp or stamps has or have not been spoiled, the Collector shall repay to such person the value of such stamp or stamps in money, upon such person delivering up, within 6 months from the commencement of these Rules, such stamp or stamps to the Collector.

(2) In the case referred to in Sub-section 1 the stamp or stamps in use immediately before the commencement

of those Rules may be exchanged by stamp or stamps in force of corresponding value, within the time limit prescribed in the same sub-rule.

(3) When the person delivering the stamp or stamps, under sub-rule (1) or (2) is a licensed stamp vendor, appointed under Legislative Diploma No. 1738, of 1957, he shall pay an amount of 1.5 per cent of the value of the stamp or stamps delivered in case of sub-rule (2) and in case of sub-rule (1) an equal amount shall be deducted from the money repaid to him.

S. S. SRINIVASAGOPALAN
Dy. Secretary (Finance)

Panjim, 29th October 1965.

SCHEDULE A

(See Rule 8)

FORM OF LICENCE

"To (here enter the name of Licensee)

Licence No.

granted under the Indian Stamp Act, 1899.
Dated

You are hereby authorised to sell stamps of the following description (that is to say) (here insert description of stamps) at (here insert the number of the house and name of street, etc., at which the stamps are to be sold) in the (here enter place) subject to the provisions of the Indian Stamps Act, 1899, and the rules made thereunder for the time being in force.

(Signed) ..

Collector

(or other officer empowered under rule 6)"

SCHEDULE B

(See Rule 12)

FORM OF REGISTER

Date	Serial No.	Description of stamps	Value of stamps	Name of purchaser	Residence of Purchaser	Signature or left thumb mark of the purchaser or his agent.
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SCHEDULE C

(See Rule 14)

Instructions to vendors in connection with the taking of the thumb-impressions of purchasers of stamped papers

1. Every purchaser of stamp embossed or engraved on stamped paper should be invited to affix if he is a literate person, his signature and if he is an illiterate person the rolled impression of the ball of his left thumb on the stamp itself below the vendor's endorsement of the sale, in the case of Hundi stamped paper, on the reverse of the top and in the case of other stamps, on the face of the stamp and also opposite the sale entry in the vendor's sale register.

2. If an illiterate purchaser has lost his left thumb or if his left thumb is so deformed or diseased that he cannot use it the impression of the ball of his right thumb or of any finger may be taken instead. In such cases a note should be made below the impression stating which finger of the left hand, or thumb or finger of the right hand has been used in making it and explaining why the impression of the left thumb was not taken. The fingers of the hand should be described (commencing with that next the thumb) as the first or forefinger, the second or middle finger, the third or ring finger, and the fourth or little finger.

3. In the case of the illiterate purchasers at the Treasuries and sub-treasuries, when such purchaser is recognised as a representative of, or is a peon, bringing a written order from, a public body or known firm, it will be sufficient if the representative's or peon's thumb mark is taken in the register and it will not be necessary to take it on the stamps. When such purchaser is not so known, his impression should be taken both in the register and on the stamp.

4. Ex-officio vendors will be supplied by the Stationery Department on indent with one or two tin-plates, a roller and printing ink.

5. The affixing of a thumb impression should be carried out under the immediate personal supervision of the vendor, who should affix his initials against each impression.

SCHEDULE D

(See Rule 20)

Know all men by these presents that we A. B., residents of and C. D., residents of, and E. F., residents of are jointly and severally held and firmly bound unto the Lt. Governor of Goa, Daman and Diu (hereinafter referred to as 'the Government') in the sum of Rs. of good and lawful money current in Goa, Daman and Diu, to be paid to the Government of Goa, Daman and Diu, or his certain attorney, agents, successors or assigns, for which payment well and truly to be made we jointly and severally bind ourselves and each of us, and our respective heirs executors, administrators, and representatives, by these presents. Sealed with our respective seals.

Dated day of of the year.

Whereas according to the provisions of the rules in this behalf framed under Section 74 of the Indian Stamp Act, 1899, the above bounden A. B. has been duly appointed to vend at in the certain stamps on the part of Government, and whereas the above bounden C. D. and E. F. have agreed to join with the said A. B. in the above written bond or obligation, subject to the conditions hereunder written as the surety or sureties of the said A. B. for his strict observance, for and during all the time that he the said A. B. has been or shall continue to be such vendor of stamps, of the duties of his said office, and of all and every rules authorised by or referred to in the said Act to be observed by all vendors of stamps according to the true intent and meaning of the said rules, and every of them; and also for his the said A. B.'s strict observance for and during all the time that he shall continue to be such vendor of stamps of such future acts, with such penalty, and after such form as may be required by the Collector. Now the condition of the above written bond or obligation is such, that if the above bounden A. B. has, for and during all the time that he the said A. B. has been such vendor of stamps, as aforesaid, well, truly, faithfully and diligently done, executed and performed and do and shall, for and during all the time that he the said A. B. shall continue vendor of stamps, well, truly, faithfully, and diligently do, execute and perform all and

every duties belonging to the said office of vendor of stamps, and has faithfully, justly and exactly observed, performed, fulfilled and kept, and shall faithfully, justly and exactly observe, perform, fulfil, and keep all and every rules mentioned or referred to in the said Act to be observed by all vendors of stamps according to the true intent and meaning of the said rules, and every of them; and also if the said A. B. shall well and truly observe, perform, fulfil and keep such future acts, with such penalty and after such form as may be required by such Collector according to the true intent and meaning of the said last mentioned Act; and if the said A. B., his heirs, executors or administrators shall indemnify and keep and save harmless the Government his successors and assigns of and from all loss and losses, damage and damages which has or have happened or accrued to, or been sustained by him, the Government or which may or shall happen or accrue to, or be at any time or times sustained by him, the Government his successors or assigns by, from or through, or by the means of the neglect, default, insolvency or misconduct of him the said A. B., his executors or administrators or agents or his or their executors or administrators, not fully accounting for and paying to the Government his successors or assigns, what may be justly due and owing to him by the said A. B. as vendor of stamps as aforesaid, or through or by means of the neglect, misconduct, omission or insolvency of the said A. B. as such vendor of stamps, as aforesaid; and also shall well and truly pay or cause to be paid into the hands of the Collector for the time being, or to such other officer or person as the Government shall from time to time direct or appoint any penalties, forfeitures, dues or other sums of money which now have been, or shall, or may be at any time hereafter incurred, or any penalties which may become payable by the said A. B., as such vendor of stamps, under or by virtue or by reason of the rules, or by any of them, or by any such future Rule or Act, Rules or Acts as shall hereafter be in that behalf passed in due form of law, relating to the said duties of vendors of stamps when and so often as all or any penalties, forfeitures, dues and other sum or sums of money shall be so incurred or become payable by the said A. B. then this obligation to be void and of no effect, but otherwise to be and remain in full force and virtue.

Signed, sealed and
delivered at

In our presence

(Signed) A. B.
C. D.
E. F.

Department of Revenue and Taxes

Kind of stamps to be used on documents under the Indian Stamp Act, 1899

The following are the descriptions of stamps to be used on documents chargeable with the Stamp Duty under Schedule 1 of the Indian Stamp Act, 1899

Art.	(Description of instrument)	(Description of stamp)
1	Acknowledgment	Adhesive Revenue Stamp: Section 11 and rule 16.
2	Administration bond	Stamp Paper: rule 6; or impressed label: rule 10(i).
3	Adoption deed	Stamp Paper: rule 6.
	Advocate. See entry as an advocate (No. 30)	
4	Affidavit	Stamp Paper: rule 6; or impressed label: rule 10(i).
5	Agreement or Memorandum of an agreement	Special adhesive stamp marked agreements: rule 17(f). If duty one anna, Adhesive revenue stamp: Section 11, rule 16; Stamp Paper: rule 6.
	Agreement to Lease. See Lease (No. 35).	
6	Agreement relating to deposit of title-deeds, pawn or pledge.	Stamp paper: rule 6; or impressed label: rule 10(i).
7	Appointment in execution of a power	Stamp paper: rule 6; or impressed label: rule 10(i).
8	Appraisal or valuation	Stamp paper: rule 6.
9	Apprenticeship deed	Stamp paper: rule 6.
10	Articles of Association of a Company	Stamp paper: rule 6; or impressed label: rule 10(i).
	See also Memorandum of Association of a Company (No. 39).	

Art.	(Description of instrument)	(Description of stamp)
11	Articles of Clerkship Assignment. See Conveyance (No. 23), Transfer (No. 62), and Transfer of Lease (No. 63) as the case may be. Attorney. See Entry as an Attorney (No. 30) and power of attorney (No. 48). Authority to adopt. See Adoption deed (No. 3).	Stamp paper: rule 6; or impressed label: rule 10(i).
12	Award	Stamp paper: rule 6; or, if in European Language, impressed label, rule 10(ii).
13	Bill of Exchange	Clauses (b) and (c) if drawn in sets and duty on each part not over one anna, adhesive revenue—rules 13(a) and 16. In other cases, stamp paper—rule 6, or if in European language impressed label—rule 10(ii). If hundis chargeable with more than one anna special stamp paper—rule 4(a) and 4(b).
14	Bill of Lading	Stamp paper: rule 6; or impressed label: rule 10(i).
15	Bond	Stamp paper: rule 6; if in European language, impressed label: rule 10(i).
16	Bottomry bond	Stamp paper: rule 6; or impressed label: rule 10(ii).
17	Cancellation	Stamp paper: rule 6.
18	Certificate of sale	Stamp paper: rule 6; if in European language, impressed label: rule 10(ii).
19	Certificate of other document See also Letter of Allotment of Shares (No. 36).	Adhesive revenue—rules 13(f) and 16.
20	Charter-party * * *	Stamp paper: rule 6; or impressed label: rule 10(i).
22	Composition deed	Stamp paper: rule 6; if in European language, impressed label: rule 10(ii).
23	Conveyance Co-partnership deed. See Partnership (No. 46).	Stamp paper: rule 6; or, if in European language, impressed label: rule 10(ii).
24	Copy or Extract	Stamp paper: rule 6, or in case of map, plans and print, adhesive Court Fee Stamps—rules 13(c) and 17(e).
25	Counterpart or duplicate	Stamp paper: rule 6; or impressed label if the original is so stamped: rule 10(i).
26	Customs bond	Stamp paper: rule 6; or, if in European language, impressed label: rule 10(ii); impressed label only, if executed out of India: rule 12(i).
27	Debenture Declaration of any Trust, See Trust (No. 64).	Stamp paper: rule 6; impressed label if written in any European language: rule 10(ii), impressed label only, if executed out of India: rule 12(i).
28	Delivery order in respect of goods Deposit of Title-deeds. See Agreement relating to deposit of Title-deeds, Pawn or Pledge (No. 6). Dissolution of Partnership. See Partnership (No. 46).	Adhesive revenue stamp: Section 11(a) and rule 16.
29	Divorce Dower. Instrument of. See Settlement (No. 58). Duplicate. See Counterpart (No. 25).	Stamp paper: rule 6; impressed label if written in any European language: rule 10(ii); impressed label only, if executed out of India: rule 12(i).
30	Entry as an advocate, vakil or attorney on the Roll of any High Court.	This entry has been omitted by the Goa, Daman and Diu (Laws No. 2 Regulation, 1963) (No. 11 of 1963).
31	Exchange of property Extract. See Copy (No. 24).	Stamp paper: rule 6; or, if in European language, impressed label: rule 10(ii).
32	Further charge	Stamp paper: rule 6; or, if in European language, impressed label: rule 10(ii).
33	Gift Hiring Agreement or agreement for service. See Agreement (No. 5).	Stamp paper: rule 6; or, if in European language, impressed label: rule 10(ii).
34	Indemnity Bond Inspectorship-Deed. See Composition-deed (No. 22). Insurance. See Policy of Insurance (No. 47).	Stamp paper: rule 6; or, if in European language, impressed label: rule 10(ii); impressed label only, if executed out of India: rule 12(i).
35	Lease	Stamp paper: rule 6; or, if partly printed or lithographed in oriental language, or if in European language, impressed label: rule 10(ii).
36	Letter of allotment of shares. See also Certificate or other Document (No. 19).	Adhesive revenue stamp: rules 13(f) and 16.
37	Letter of credit Letter of Guarantee. See Agreement (No. 5).	Adhesive revenue stamp: rules 13(f) and 16.
38	Letter of Licence	Stamp paper: rule 6; or, if in European language, impressed label: rule 10(ii).

Art.	(Description of instrument)	(Description of stamp)
39	Memorandum of association of a company	Stamp paper: rule 6; or impressed label: rule 10(i).
40	Mortgage-deed	Stamp paper: rule 6; or if in European language, impressed label: rule 10(ii).
41	Mortgage of a crop	Stamp paper: rule 6; if not exceeding one anna adhesive revenue Sec. 11(a) and rule 16; in other cases stamp paper: rule 6, or impressed or perforated label: rule 10(i).
42	Notarial Act See also Protest of Bill or Note (No. 50).	Special adhesive foreign bill stamp bearing the word "Notarial" Sec. 11(d) and rule 17(d).
43	Note of memorandum	If of two annas or more, special adhesive stamp bearing the words "Broker's note": Section 11 and rule 17(f); if of over two annas impressed label rule 10(i).
44	Note of protest by the master of a ship See also Protest by the Master of a Ship (No. 51). Order for the payment of money. See Bill of Exchange (No. 13).	Special adhesive foreign bill stamp bearing the word "Notarial": Section 11 and rule 17(d); or impressed label: rule 10(i).
45	Partition	Stamp paper: rule 6; or if in European language, impressed label: rule 10(ii).
46	Partnership Pawn or pledge. See Agreement relating to Deposit of Title Deeds, Pawn or Pledge (No. 6).	Stamp paper: rule 6; or if in European language, impressed label: rule 10(ii).
47	Policy of Insurance	Special adhesive stamp bearing the word "insurance": rule 13(e) and rule 17(9).
48	Power of Attorney	Stamp paper: rule 6; or, if in European language, impressed label: rule 10(ii), or impressed label if executed out of India: rule 12(i).
49	Promissory Note	(a) (i) adhesive revenue—Sec. 11 and rule 16; (a) (ii) and (iii), adhesive revenue: rules 13(f) and 16; (b) stamp paper: rule 5; (a) and (b) if drawn or made out of India, special adhesive bearing the words "Foreign Bill": rule 17(a).
50	Protest of bill or note	Special adhesive foreign bill stamp bearing the word "Notarial"—Sec. 11(d) and rule 17(d).
51	Protest by the master of a ship See also Note of Protest by the Master of a Ship (No. 44).	Special adhesive foreign bill stamp bearing the word "Notarial"—rule 17(d).
52	Proxy	Adhesive revenue—Sec. 11 and rules 13(f) and 16.
53	Receipt	Adhesive revenue: Section 11 and rules 13(f) and 16.
54	See also Policy of Insurance (No. 47-B (2)).	Stamp paper: rule 6, or if in European language, impressed label: rule 10(ii).
55	Re-conveyance of mortgaged property Release	Stamp paper: rule 6; or if in European language, impressed label: rule 10(ii); impressed label only if executed out of India: rule 12(i).
56	Respondentia Bond Revocation of any trust or settlement. See Settlement (No. 58): Trust (No. 64).	Stamp paper: rule 6; or if in European language, impressed label: rule 10(ii); or if executed out of India, impressed label only: rule 12(i).
57	Security-bond or mortgage deed	Stamp paper: rule 6; or if in European language, impressed label: rule 10(ii); or if executed out of India, impressed label only: rule 12(i).
58	Settlement See also Trust (No. 64)	Stamp paper: rule 6; or if in European language, impressed label: rule 10(ii) or if executed out of India, impressed label only: rule 12(i).
59	Share warrants Scrip, See Certificate (No. 19).	Stamp paper: rule 6; or impressed label: rule 10(i).
60	Shipping Order	Adhesive revenue: Sec. 11(a) and rule 16.
61	Surrender of lease	Stamp paper: rule 6.
62	Transfer	(a) If by endorsement, adhesive revenue: Sec. 11(e) and rule 16; and if not by endorsement, special adhesive stamp bearing the words, "share transfer"—rule 17(b). (b) Special adhesive stamp bearing the words "share transfer"—rules 13(b) and 17(b). (c), (d) and (e) Stamp paper rule 6; or if in European language impressed label: rule 10(ii).
63	Transfer of Lease	Stamp paper: rule 6; if executed out of India, impressed label only: rule 12(i).
64	Trust See also Settlement (No. 58) Valuation. See Appraisement (No. 8). Vakil. See Entry as a Vakil (No. 30).	Stamp paper: rule 6; or impressed label: rule 10(i).
65	Warrant for goods	Stamp paper: rule 6; or impressed label: rule 10(i).

OFFICE OF THE ADMINISTRATOR, DADRA AND NAGAR HAVELI*Silvassa, the 12th November 1965***SUBJECT :—Land Improvement Act, 1883—Prescribing rules under the—***Read :*

- (1) Government Notification, Ministry of External Affairs No. F.19(91)/GOA dated 3rd December 1962 extending Land Improvement Loans Act, 1883 to the Union Territory of Dadra and Nagar Haveli.
- (2) Section 10 of the Land Improvement Loans Act, 1883 delegating the powers to the State Government to frame rules.
- (3) Section 5(1)(h) of the Dadra and Nagar Haveli (Laws) Regulation, 1963.

ORDER

In exercise of the powers vested in him under Section 10 of Land Improvement Act, 1883 as extended to the Union Territory of Dadra and Nagar Haveli read with Section 5(1)(b) of Dadra and Nagar Haveli (Laws) Regulation, 1963, the Administrator, Union Territory of Dadra and Nagar Haveli, is hereby pleased to frame the following rules governing the grant of loans and recovery of loans and maintaining various accounts of the loans sanctioned under the Land Improvement Loans Act, 1883.

Short Title :

1. These shall be called "THE LAND IMPROVEMENT LOANS RULES, DADRA AND NAGAR HAVELI, 1965".

2. These shall come into force at once.

3. Under these rules, the following officers who will be hereinafter called "sanctioning authority" are delegated powers to sanction loans shown against each, subject to the observance of the formalities and rules framed hereunder.

- | | |
|---|------------|
| 1. Collector, Dadra and Nagar Haveli | Rs. 10,000 |
| 2. Secretary to the Administrator, Dadra and Nagar Haveli | Rs. 5,000 |
| 3. Block Development Officer, Dadra and Nagar Haveli | Rs. 2,500 |

4. (a) Loans may be granted for any purpose which is a land improvement work within the meaning of Section 4(2).

(b) The sanctioning authority may call for such detailed plans and estimates or for such professional opinion on the project for which the loan is required as may seem necessary.

Application to whom to be made and in what form :

5. Applications may be presented to the Block Development Officer or any officer of the Block not below the rank of Aval Karkun. The applications may be made in writing in the application form annexed hereto. Forms shall be supplied free of cost. When the security offered is land, copies of alwaras or a certificate issued by the Revenue Authority relating thereto must be attached to the Application.

Provided that when there is a joint application by a number of inhabitants of one village for an advance to be taken jointly and severally under a joint bond or severally upon a common bond, there need be no separate application from each applicant but in Bond Forms prescribed by the Administration for the purposes, the necessary particulars will be entered in the bond of agreement excluded by the applicant when the loan is sanctioned.

Local inquiry by whom to be made :

6. The Officer entertaining the application shall either make an inquiry himself or cause one to be made by any member of the staff duly authorised by the Block Development Officer not below the rank of a Gram Sevak

for the purpose of ascertaining the particulars of the case.

Disposal of application after inquiry :

The objections, if any, submitted under Section 5 of the Act to the Officer who received the application or to the inquirer, shall be disposed of by such Officer competent to decide the applications at the time he makes local inquiry, if he makes it himself, and if not, upon the receipt of the report of the officer who made it. He shall then record the particulars of the objections and of his orders thereon in the appropriate space on the application.

If the officer who receives the application is empowered, he may himself grant or refuse the loan, otherwise he shall forward the application with his report and recommendations thereon to the competent authorities.

When loans shall be refused :

7. No loan may be granted unless the sanctioning authority is satisfied of the sufficiency of the security.

When collateral security may be dispensed with :

8. When the value of the applicant's interest in the land to be improved will clearly cover the amount of the loan with interest and the cost, if any, likely to be incurred in making the same, no collateral security need be required.

9. Moveable property shall rarely be accepted as security. Personal security may be accepted, even that of one person provided he is sufficiently solvent.

If surities are more than one, they should preferably be required to bind themselves jointly and severally.

In how many instalments a loan may be paid :

10. A loan shall be paid to the borrower in one or more instalments as may the sanctioning authority seem fit. However, large loans invariably be paid in two or more instalments.

Rate of interest :

11. Interest shall be charged on all loans at the rates of interest prescribed by the Government of India at the time when a loan is sanctioned.

Execution of security loans :

12. The order granting a loan shall be endorsed on the application, if separate, and made out in an order form prescribing conditions and shall at the time of or before the issue of the loan or the first instalment of it be signed by the applicant or applicants and other persons concerned in token of understanding and agreeing to the conditions contained therein. The grantee shall also execute an agreement in the prescribed form.

Penalty on default in execution of work within prescribed time :

13. The conditions under which every loan shall be granted shall include the following, viz. that if the borrower fails to carry out in the time prescribed the work or part of the work for which he has received the loan or an instalment of it, the grantor may order summary recovery, but instead of enforcing this condition he may, on reasonable cause being shown for the failure in carrying the work in time fixed for its completion, and if the borrower fails to complete the work or part of the work within the period thus extended, prompt steps shall be taken to recover summarily with simple interest the whole or the misapplied portion, as may be decided by the grantor.

Copy of the written order and counterpart to be given to the borrower :

14. A copy of the order and counterpart agreement certified by the sanctioning authority to be a true copy, shall be given on demand to the borrower or borrowers at the time or just after making the payment to them.

Suspension of subsequent instalments in case of breach of any condition :

15. When a loan is being paid to a borrower by instalments the sanctioning authority may withhold payment of any instalment subsequent to the first, if he is satisfied that any condition of the order and counterpart agreement has not been complied with.

Recovery of cost incurred in making a loan :

16. The cost, if any, incurred in making a loan shall be paid by the borrower along with the repayment of the first annual instalment.

Suspension of instalments :

17. An instalment should be suspended whenever from causes beyond the borrower's control, his crops fail to such an extent as to render the payment unduly burdensome to him whenever suspensions of land revenue are granted general suspensions of loans should be granted at the same time and to the same extent, so that when only one half of the land revenue is suspended only one-half of the current instalment should be suspended. Unless the season is bad enough to justify general suspensions of land revenue, general suspensions of loans will not be justifiable. In case of general suspensions of loans, it will be at the Collector's discretion with the sanction of the Administrator, to exempt any class of persons from the operation of the order.

Subsequent purchase :

18. When an advance has been granted for the improvement of land it shall be a condition of the loan that if any land mortgaged as security transferred the whole amount outstanding may immediately be recovered. This condition shall not be enforced if the transferee at the discretion of the granter either pays the outstanding or executes a fresh bond mortgaging the land as security for the repayment of the amount outstanding.

Recovery of loans for failure to comply with conditions :

19. The sanctioning authority if at any time satisfied that the borrower has failed to comply with any of the conditions :—

- (a) shall, if the failure appears to be due to the misapplication of the loan, and
- (b) may, if the failure is due to any other cause after recording in writing the grounds of his decision, proceed to recover under the provisions of Section 7 any sum still payable by such person.

Provided when any instalment due by the borrower is not paid within one month of the date fixed for its repayment, the sanctioning authority may, at his option, instead of recovering the whole of the amount for the time being outstanding against the borrower, recover under the provisions of the said Section the unpaid instalment only together with compound interest on the said instalment at the rate equal to the rate of interest fixed, in the order granting the loan plus two per cent from the date of default in payment of the said instalment until the whole of the amount of the said instalment together with the interest thereon shall have been paid.

Report of sums written off as irrecoverable :

20. When any loan or portion of a loan is found to be irrecoverable, it may be written off by the Collector :—

- (a) if the amount is Rs. 500 or less on his own authority,
- (b) if the amount exceeds Rs. 500 with the previous sanction of the Administrator.

21. All accounts for all loans shall be kept in the forms prescribed by the Administrator from time to time.

FORM OF APPLICATION

- I. Applicant's name and residence ..
 - II. Amount and object of loan
(and nature of the proposed improvement) ..
 - III. Village, Survey No. assessment
with extract of Revenue record ..
 - IV. Applicant's right in the land
to be improved ..
 - V. Nature of security whether personal
or otherwise ..
- Date :—

Applicant's signature

INQUIRY FORM

Particulars to be filled in by inquirer after verifying the details in the application. (At whatever stage of the inquiry it appears that the loan cannot be granted, the inquirer should stop and endorse the reason and cease filling up any more of the particulars.)

VI. Status of the application as in Revenue Record if he has no right to make the improvement, does the superior holder consent to the loan?

VII. Is he a Government servant or a member of a co-operative society? or a tenant?

VIII. Security offered :—

- (1) if the land itself the value of the applicant's interest in it;
- (2) if personal, the names and status of the surety or sureties and the value of their immovable property;
- (3) if property other than the land itself, its nature, S. N. area, assessment (and judi), and value and extent of pre-existing encumbrances.

IX. The improvement :—

- (1) Sketch (on a separate sheet) of the land to be improved;
- (2) Full description of the state of and measurements of any existing work;
- (3) Full description and measurements of the improvements proposed;
- (4) In the case of wells, whether bore or jumper experiment has been tried and with what result;
- (5) Description of materials to be used;
- (6) Estimated cost of proposed improvement;
- (7) Estimate of the area that will be benefited;
- (8) Estimated value of the net increased produce from the work;
- (9) Year in which the work will begin to yield profit, and life of improvement;
- (10) Capacity of borrower, note if he has other sources.

X. Outstanding balance, if any, e.g. L.R. Tagavi, Irrigation, vide Tagavi and Irrigation of other Accounts.

XI. Whether the loan should be advanced in one lumpsum or in instalments;

- (2) If instalments, their dates with condition as to which part or parts of the proposed work are to be completed before issue of subsequent instalments.

XII. Period within which the work is to be completed or object carried out.

XIII. Repayment :—

- (1) Year of first instalment with reference to IX (9);
- (2) Amount of instalment (consolidating principal and interest);
- (3) Period of repayment;
- (4) Signatures in token of correctness of, and consent to, the above particulars :—
- (1) applicant,
- (2) person other than the applicant having interest in the land,
- (3) personal security,
- (4) person pledging collateral security.
- (5) signature of attesting officer.

XIV. Objections, if any :—

- (1) Date of publication of notice under Section 5;
- (2) Nature of objections raised, and orders thereon.

XV. List of papers to be annexed :—

- (1) Extracts from record of rights,
- (2) Deeds, if any presented,
- (3) Panchnamas or officer's own figured estimates as to—

- (a) value of land to be improved,
- (b) value of collateral security,
- (c) estimated cost of work,
- (d) estimated amount of profit.

(4) Notice, under Section 5, with objections received, and order.

XVI. Opinion and recommendation in the inquirer's own hand :—

Note :—The inquirer should, among other remarks, particularly make a note (as to whether the work is feasible, also) as to the Applicant's character for thrift and regularity in fulfilling his obligations (*see* X above).

Submitted for sanction to

Block Development Officer or
other inquirer

XVII. Sanctioned for Rs. (in words)

Date

Grantor.

XVIII. Endorsement as to completion of the work :—

- (1) Date of orders (to the G.S.) for inspection and report;
- (2) Result of inspection, with action taken, if any, owing to misapplication.

FILED.

Date

Block Development Officer

K. R. DAMLE

Administrator

Dadra and Nagar Haveli
(Union Territory)

Panjim,

Dated,

1965.

ORDER

Silvassa, the 12th November 1965

No. ADM/SUP/1218(65)—In exercise of powers conferred by Rule 125 of the Defence of India Rules, 1962 and by virtue of the authorities vested in him, *vide* Administrator, Dadra and Nagar Haveli's Notification dated 24th November 1964, the Collector, Dadra and Nagar Haveli, is hereby pleased to make the following order, namely—

1. *Short title, extent and commencement.*—(1) This order may be called the Dadra and Nagar Haveli Paddy Procurement Order, 1965.

(2) It extends to the whole of the Union Territory of Dadra and Nagar Haveli (hereinafter referred to as the territory).

2. *Definitions.*—In this order unless the context otherwise requires—

(a) "dealer" means any person who, whether for commission, remuneration or otherwise, carries on the business of purchase, sale or storage for sale of any of the foodgrains as defined in sub-clause (d) of clause 2 of the Dadra and Nagar Haveli Foodgrains (Declaration of Stocks and Prohibition of Sales) Order, 1964;

(b) "rice mill" means the plant and machinery with which, and the premises including precincts thereof in which or any part of which paddy is milled;

(c) "to mill paddy" with all its grammatical variations and cognate expressions means to mill paddy in a rice mill or by any other method for obtaining rice therefrom;

(d) "purchasing centre" means a place where paddy is purchased by any officer on behalf of the Administration;

(e) "village officer" means the officer appointed by the Collector to perform the duties of a Patel Talati;

(f) "Mamlatdar" means the Mamlatdar, Dadra and Nagar Haveli;

(g) "Collector" means the Collector, Dadra and Nagar Haveli;

(h) "schedule" means a schedule appended to this order;

(i) "bona fide" agriculturist" means an agriculturist who has obtained a certificate from Mamlatdar as required in sub-clause 2(b) of clause 3 of this order;

(j) "rice" means any variety of rice processed, produced and manufactured in a rice mill and includes broken rice, naka kani, fine kuski and coarse kuski.

3. *Compulsory sale of paddy to the village officer.*—

(1) Subject to the provision of clause 4, every cultivator, dealer or any other person shall sell paddy to the village officer at the purchasing centre at the price not exceeding the amount fixed by the Collector.

(2) (a) Where a person to whom sub-clause (1) applies is an agriculturist, the quantity of paddy which he obtains out of stock of paddy grown by him, will not be liable to be sold under clause (1), if such quantity does not exceed the quantity of paddy shown in the schedule I. If the quantity of paddy exceeds the prescribed limit, such quantity as may be in excess of the said limit shall be liable to be sold under sub-clause (1).

(b) A person claiming the benefit of this sub-clause shall be entitled thereto only if he produces a certificate issued by the Mamlatdar in this behalf to the effect that the person is bona fide agriculturist and has grown paddy in the land held by him as owner or tenant, and that he is eligible to keep in his possession for bona fide personal consumption of his family and for the purpose of seed the quantity of paddy as provided under clause 3(2) (a).

4. *Reduction in purchase price in certain cases.*—Notwithstanding anything contained in sub-clause (1) of clause 3, if the paddy sold under the said clause contains impurities the excess of the tolerance limits specified in schedule II, there shall be deducted from the purchase price an amount calculated at the rate of cut specified in column 6 of the said schedule applicable to the excess.

5. *Ban on Trade of paddy or rice.*—No private dealer or miller shall be allowed to transact in paddy or rice and its bye-products like broken rice, kani except with a permission of the Collector and on such conditions as may be prescribed in this regard.

6. *Ban on private milling of paddy.*—Except under an express permission of the Collector no miller shall be allowed to mill paddy into rice.

7. *Power of entry, search, seizure, etc.*—(1) Any officer not below the rank of Supply Inspector and Revenue Officer not below the rank of an Aval Karkun or any police officer not below the rank of Head Constable and any other officer authorised by the Collector may with a view to securing compliance with this order and to satisfying that this order has been complied with,

(i) enter, with such assistance as may be necessary any rice mill or their premises where he has reason to believe that paddy is stored or rice is produced, processed, manufactured or stored;

(ii) ask of any person all necessary questions;

(iii) examine any books or documents;

(iv) search, and so as may be necessary for that purpose, detain any person or seize paddy or rice found in such person's possession in respect of which he has reason to believe that contravention of any of the provisions of this order has been, is being, or is about to be committed and thereafter take or authorise the taking of all measures necessary for the production of stocks so seized, in a Court and for their safe custody pending such production.

(2) The provisions of Sections 102 and 103 of the Code of the Criminal Procedure, 1889, relating to search and seizure shall, so far as may be apply to searches and seizures under this clause.

SCHEDULE I

[*see* clause 3(2) (a)]

1. Every bona fide agriculturist shall be entitled to keep the following quantity of paddy for the bona fide personal consumption of his family.

75 kgs. per each adult member of the family.

30 kgs. per each child of the family.

2. Every bona fide agriculturist shall be entitled to keep the following quantity of paddy in addition to the quantity of paddy as shown in 1 above for seed.

A maximum quantity of 20 kgs. per acre.

SCHEDULE II

Variety of Paddy

1. Coarse	..	..	..	..	..	..	..	..	..	..
2. Medium	..	..	..	..	..	..	..	..	..	..
3. Fine	..	..	..	..	..	..	..	..	..	..
4. Superfine	..	..	..	..	..	..	..	..	..	..

FAIR AVERAGE QUALITY OF PADDY

Constituents of admixtures or impurities					Free tolerance limit (per cent)				Rates at which cuts shall be imposed for admixtures or impurities exceeding the tolerance limits specified for the respective grade of paddy in cols. (2) to (5)
					Coarse	Medium	Fine	Super-Fine	
1					2	3	4	5	6
1. Foreign Matter	..	..	..	..	1	1	1	1	Coarse, medium, fine and superfine over tolerance limit at full value of the paddy equivalent to foreign matter.
2. Admixture	..	..	..	..	—	6	2	2	<i>Medium</i> : Over tolerance limit 4 paise per quintal for every 1 per cent. <i>Fine</i> : Over tolerance limit up to 6 per cent 8 paise per quintal for every 1 per cent. Over 6 per cent 16 paise per quintal for every 1 per cent and over 4-1/2, 16 paise per quintal for every 1 per cent.
3. Damaged, immature or weevilled	..				2	2	1	0.5	Over tolerance limit 6 paise per quintal for every 1 per cent.
4. Red grains	..	..	..	..	4	2	2	2	Over tolerance limit 5 paise per quintal for every one per cent.
5. Moisture content	..	..	.		15	15	15	15	Over tolerance limit at full value of the paddy equivalent to moisture content.

NOTE :—

General characteristics—Paddy shall (a) be the dried mature grains with husk or *Oryza sativa* ; (b) have uniform size, shape and colour, (c) be hard, clean, wholesome and free from moulds, weevils, abnoxious smell discolouration, admixture of deleterious substances and all other impurities except to the extent indicated in this schedule (d) not have moisture exceeding 15 per cent.

Definitions—Foreign matter. —It includes dust, stones, lumps of earth chaff, stem or straw and any other impurity.

Admixture.—Presence of inferior varieties shall be considered as admixture. In case of admixture of other foodgrains in paddy, 0.5 per cent, of the other foodgrains shall be treated as within free tolerance limit and anything above 0.5 per cent shall be treated as foreign matter.

Damaged.—Grains that are internally damaged or discoloured, damaged or discolouration materially affecting the quality.

Immature.—Grains that are not properly developed.

Weevilled.—Grains that are partially or wholly bored or eaten by weevil or other grain insects.

Redgrains.—Grains of red rice contained in the paddy.

H. K. KHAN

Collector,

Dadra & Nagar Haveli, Silvassa.